

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

COREY BENN,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.:
v.)	
)	_____
MONIKA STOYANOVA STAEVA and)	
FEDERAL BUREAU OF)	
INVESTIGATION,)	
Defendants.		

NOTICE OF REMOVAL

TO: The Honorable Judges of the United States District Court for the Northern District of Georgia, ATLANTA Division

Defendant Monika Stoyanova Staeva and the Federal Bureau of Investigation (FBI), by and through the United States Attorney for the Northern District of Georgia, and pursuant to 28 U.S.C. § 1442, file this notice of removal of proceedings initiated in the State Court of Dekalb County, State of Georgia, styled as *Corey Benn v. Monika Stoyanova Staeva and Federal Bureau of Investigation*, Civil Action No. 23AV02409. In support of this removal the Defendants respectfully show the following:

1. This lawsuit is one that may be removed to federal court pursuant to 28 U.S.C. § 1442(a)(1). This lawsuit arises out of a motor vehicle accident involving

Special Agent Staeva had while acting within the scope of her employment with the FBI. The action is one against the United States, an agency thereof, or an officer of the United States or of an agency thereof, acting in his or her official or individual capacity. Therefore, removal is proper under 28 U.S.C. § 1442(a).

2. Section 1442(d) defines the terms “civil action” and “criminal prosecution” for purposes of removal to include “any proceeding (whether or not ancillary to another proceeding) to the extent that in such proceeding a judicial order, including a subpoena for testimony or documents, is sought or issued.”

3. Copies of all pleadings filed in the state court in this action are attached to this pleading as Exhibit A. A copy of this Notice of Removal is being served upon counsel for Plaintiff Corey Benn. A copy will be filed with the State Court of Dekalb County.

WHEREFORE, the Defendants remove the proceedings initiated in the State Court of Dekalb County, *Corey Benn v. Monika Stoyanova Staeva and Federal Bureau of Investigation*, Civil Action No. 23AV02409, to this United States District Court for the Northern District of Georgia for such further proceedings as may be appropriate.

Dated: August 4, 2023.

Respectfully submitted,

RYAN K. BUCHANAN
United States Attorney

/s/ Neeli Ben-David

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Certificate of Compliance

I hereby certify, pursuant to Local Rules 5.1 and 7.1D, that the foregoing removal has been prepared using Book Antiqua, 13 point font.

/s/ Neeli Ben-David
NEELI BEN-DAVID
Assistant United States Attorney

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Certificate of Service

This is to certify that I have this date served the within and foregoing Notice of Removal by causing a true and correct copy thereof to be sent to the following individual by first class U.S. Mail, properly addressed and with sufficient postage affixed:

James Palmer
Morgan and Morgan, PLLC
1350 Church Street Extension
Suite 300
Marietta, Georgia 30060

August 4, 2023.

/s/ Neeli Ben-David
NEELI BEN-DAVID
Assistant United States Attorney

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ORDER

This matter having been removed to the Court by the United States Attorney for the Northern District of Georgia upon the filing of a Notice of Removal of the case of *Corey Benn v. Monika Stoyanova Staeva and Federal Bureau of Investigation*, Civil Action No. 23AV02409 now pending in the State Court of Dekalb County, State of Georgia, in accordance with 28 U.S.C. § 1442, pursuant to the provisions of 28 U.S.C. § 1447(b), as amended, it is hereby ORDERED:

The Clerk of the State Court of Dekalb County, Georgia is hereby ORDERED to deliver forthwith to the Clerk of this Court, located at United States Courthouse, Richard B. Russell Federal Building & United States

Courthouse, 2211 United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303, one (1) complete certified copy of the entire record herein to date in *Corey Benn v. Monika Stoyanova Staeva and Federal Bureau of Investigation*, Civil Action No. 23A02409

So ordered this _____ day of _____, 2023.

JUDGE
UNITED STATES DISTRICT COURT

Presented By:

/s/ Neeli Ben-David
NEELI BEN-DAVID
Assistant United States Attorney
Georgia Bar No. 049788